

United States District Court
EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CLAY CHRISTIAN SMITH,

Defendant.

SEALED

CRIMINAL COMPLAINT

Case No. 22-MJ-228-JAR

I, Special Agent Jan Kum, the undersigned complainant, state that the following is true to the best of my knowledge and belief.

Between on or about February 2, 2022 and February 3, 2022, in the Eastern District of Oklahoma, defendant, **CLAY CHRISTIAN SMITH**, committed the crime of Certain Activities Relating to Material Involving the Sexual Exploitation of Minors in violation of Title 18, United States Code, Sections 2252(a)(2) and 2252A(a)(2)(A).

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

(See attached Affidavit of Special Agent Jan Kum, which is attached hereto and made a part hereof by reference.)

☒ Continued on the attached sheet.




JAN KUM
FEDERAL BUREAU OF INVESTIGATION

Sworn to before me and subscribed in my presence at: MUSKOGEE, OKLAHOMA

Date: August 9, 2022

UNITED STATES MAGISTRATE JUDGE

JASON A. ROBERTSON, U.S. Magistrate Judge



Signature of Judicial Officer



**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Special Agent Jan Kum, being duly sworn, depose and state that:

INTRODUCTION

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI), and have been so employed since December of 2010. I am currently assigned to the Oklahoma City Division, Ardmore Resident Agency.

2. As a Special Agent, I am authorized to investigate violations of the laws of the United States, and to execute warrants issued under the authority of the United States.

3. The statements contained in this Affidavit are based in part on: information provided by other agencies, written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents; independent investigation; and my experience, training, and background as a Special Agent with the FBI. Because this Affidavit is being submitted for the limited purpose of establishing probable cause to believe that CLAY CHRISTIAN SMITH, committed the below-described offenses, I have not included every detail of the investigation. In addition, unless otherwise indicated, all statements contained in this Affidavit are summaries in substance and in part. The following is true to the best of my knowledge and belief.

PROBABLE CAUSE

4. Based on the below facts, there is probable cause to believe that CLAY CHRISTIAN SMITH committed violations of Title 18, United States Code, Sections 2252(a)(2) and 2252A(a)(2)(A).

5. DEFENDANT: the defendant is CLAY CHRISTIAN SMITH, date of birth (DOB)

December 19, 1997, hereinafter referred to as SMITH.

6. This affidavit is intended to show there is sufficient probable cause for a Complaint and does not set forth all of my knowledge about this matter. This affidavit is made in support of a Complaint and Arrest Warrant for a crime in violation of Title 18, United States Code, Sections 2252(a)(2) and 2252A(a)(2)(A). In support of this request, I submit the following:

7. On March 4, 2022, Deputy Rick Batt, Carter County Sheriff's Office, was assigned to a CyberTip received from the National Center for Missing and Exploited Children (NCMEC), CyberTip 117249467. The CyberTip originated with the social media platform, Snapchat, after the platform intercepted four images they reviewed and believed to be child pornography. These images were uploaded to their platform via the internet. Snapchat provided NCMEC with the following identification in relation to the person uploading the images: screen/username "drkuchi;" DOB December 19, 1997; telephone number 870-665-2422; and that the individual uploading these images was doing so utilizing IP address 159.118.225.94 at the time of the upload. These images were uploaded on February 2 and February 3, 2022.

8. Deputy Batt observed the images provided by Snapchat to NCMEC to depict nude pre-pubescent female in various poses.

9. A Court Order was issued and served upon CableOne, doing business as Sparklight, for information regarding the IP address. The IP address was used by The Salvation Army, 123 A Street SW, Ardmore, OK.

10. A search warrant for Snapchat returned with the name "Clay" as the user for the screen name "drkuchi." Deputy Batt also received files from Snapchat which contained 10 files of images and videos depicting child pornography. Those images and video files were saved and/or uploaded to various Snapchat groups.

11. A check in the CLEAR system indicated the telephone number 870-665-2422 was

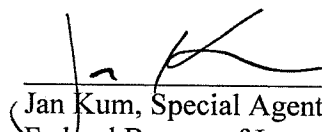
associated with "Charles Smith" and/or "Clay Smith" with an address of 123 A Street SW, Ardmore, OK.

12. On April 4, 2022, Deputy Batt contacted the Salvation Army and learned SMITH was employed as the music director for the Salvation Army. The Salvation Army provided SMITH a residential apartment on the premises.

13. On April 4, 2022, Deputy Batt interviewed SMITH. SMITH provided his telephone number as 870-665-2422 which matched the information in the CyberTip. After waiving his Miranda rights, SMITH stated he often used Snapchat with the username "drkuchi." He recently changed the username because the "drkuchi" account had been closed. SMITH was shown two redacted images from Snapchat. SMITH admitted he had sent the images through Snapchat. SMITH stated he did not actively seek child pornography but had viewed it a couple of times. SMITH provided his cellphone and PIN code to Deputy Batt.


11. Based on a review of this case, and based on my knowledge and experience, I, as your Affiant, have probable cause to believe CLAY CHRISTIAN SMITH committed the offenses in violation of Title 18, United States Code, Sections 2252(a)(2) and 2252A(a)(2)(A).

Respectfully Submitted,



Jan Kum, Special Agent
Federal Bureau of Investigation

Sworn before me this 9th day of August 2022.



UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF OKLAHOMA